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August 9, 2002

WRITTEN EX PARTE

Ms Marlene H. Dortch  
Secretary  
Federal Communications Commission  
The Portals  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: WC Docket No. 02-150

Dear Ms Dortch:

Attached to this letter are responses to questions relating to which staff in the Wireline Competition Bureau requested that BellSouth respond in writing. I have also sent the responses electronically to Michelle Carey, Greg Cooke, Aaron Goldberger and Gina Spade.

In accordance with Section 1.1206, I am filing two copies of this notice and the accompanying attachments and request that you please place them in the record of the proceeding identified above. Thank you.

Sincerely,



Kathleen B. Levitz

Attachments

cc: Michelle Carey (w/o attachment)  
Greg Cooke (w/o attachment)  
Aaron Goldberger (w/o attachment)  
Gina Spade (w/o attachment)  
Susan Pié  
James Davis-Smith

## FCC Question #1

**Question:** Did the LEO table problem affecting LENS Directory Listing orders that affected the FOC Timeliness metric for the UNE Other Non-Design product category also affect the reject interval metric for that product category? If so, where in BellSouth's Reply filing is it discussed?

**BellSouth Response:** BellSouth addressed the LEO Return Feed Header issue related to the Reject Interval measure in Varner's Reply affidavit on page 88, paragraph 164 as follows:

*"BellSouth also reviewed the fully and partial mechanized rejects for UNE Other Non-Design for all five states during April and May 2002. There was only one reject in both months that was affected by this change and in April, the timestamps were identical, and in May 2002, it was different by only two seconds. There was no change in the results for these submetrics based on the review."*

When these data were corrected for the LEO Return Feed Header issue, there was minimal change in the performance results and no change in parity results, as set out in paragraph quoted above.

BellSouth provided the results of its root cause analysis for Fully Mechanized Reject Interval (for both UNE Other Design and Non-Design) on pages 83-84, paragraphs 155-157 in Varner's Reply affidavit.

BellSouth contends that the performance issues associated with Reject Interval for UNE Other Non-Design are limited to the fully mechanized submetric. The tables below illustrate BellSouth's satisfactory performance (met the benchmark for 27 of 30 opportunities) for the non-mechanized and partially mechanized submetrics across all five states:

**Results for Partially Mechanized Reject Interval for UNE Other Non-Design**

State	April 2002			May 2002			June 2002*		
	Result	Volume	Equity	Result	Volume	Equity	Result	Volume	Equity
KY	85.71%	21	Yes	98.08%	52	Yes	92.98%	57	Yes
NC	100.00%	37	Yes	78.95%	38	No	80.85%	47	No
SC	100.00%	26	Yes	80.77%	52	No	97.14%	35	Yes
AL	92.08%	101	Yes	98.11%	106	Yes	93.53%	139	Yes
MS	90.91%	11	Yes	90.91%	11	Yes	91.67%	12	Yes

\* Preliminary data for June 2002.

**Results for Non-Mechanized Reject Interval for UNE Other Non-Design**

State	April 2002			May 2002			June 2002*		
	Result	Volume	Equity	Result	Volume	Equity	Result	Volume	Equity
KY	100.00%	34	Yes	100.00%	33	Yes	100.00%	56	Yes
NC	99.48%	191	Yes	99.23%	259	Yes	100.00%	232	Yes
SC	98.41%	126	Yes	99.39%	164	Yes	99.45%	182	Yes
AL	99.00%	200	Yes	98.78%	82	Yes	100.00%	76	Yes
MS	96.30%	27	Yes	100.00%	27	Yes	95.45%	22	Yes

\* Preliminary data for June 2002.

**FCC Question #2**

**Question:** Please clarify BellSouth's position with respect to the overall quality of Release 10.5.

**BellSouth Response:** BellSouth's response in its reply comments was not intended to portray that BellSouth was satisfied with the quality of release 10.5. The fact that 35 CLEC affecting defects were discovered in the software post-production is very undesirable, and BellSouth has taken steps to minimize any recurrence in future releases. These steps are addressed in the Stacy Reply Affidavit ¶¶ 73-86.

However, the CLECs have portrayed that quality of the software as "poor", and BellSouth sought to find some objective standard, external to both Bellsouth and the CLECs, to allow BellSouth to judge the actual quality. The measure calculated by QP Management group – defects per function point – allowed BellSouth to place the quality of release 10.5, and the preceding releases during 2001 in context with the quality of other telecom software providers who were coding software of similar complexity. See Stacy Reply Exhibit WNS-32.

These comparisons recognize a simple fact - the more complexity involved in a software release, the more likely it is that all defects will not be detected and corrected pre-production. Measured on this basis, the quality of the processes BellSouth and its vendors use compares favorably to the other software providers in this industry.

BellSouth will continue to strive for a minimum number of defects in our software releases, but as the complexity continues to increase, zero defects is probably not an attainable goal.

**FCC Question #3**

**Question:** WorldCom states that BST first made the change that led to CLEC orders that chose BSLD as the PIC being rejected and then sent the carrier notice in June after such rejections had already begun occurring. What is the explanation for the notification's being sent only after the change to the ordering software was made?

**Response:** WorldCom is mistaken. This is not a recent change. The change that led to rejection of CLEC orders that chose BSLD as the PIC was put in place in July, 1997. Early on, BSLD took steps to insure that it would not inadvertently be placed into the interexchange carrier business prior to relevant FCC authorization. Post-authorization and at BSLD's request, BST continues to not accept orders for BSLD when the submitting carrier does not have an operational agreement with BSLD. This position is discussed in greater detail in the reply affidavit of Mary M. Dennis, Director BSLD.

In July, 1997 the Service Order Edit Routine (SOER) software was revised (SOER Edit No. 0324) to cause Local Service Requests (LSRs) that showed an invalid PIC to BSLD (CIC code 0377) to fall out to the Local Carrier Service Center (LCSC) for manual handling and clarification. From July, 1997 through today, this feature has existed in BST's ordering systems.

On June 14, 2002, BellSouth posted Carrier Notification Letter SN91083138 to advise CLECs of the existing procedure. Although the informational letter was posted on June 14, 2002, the "change" to which WorldCom alludes in its reply comments was not a change to the ordering software since CLECs have never been able to choose BSLD as the PIC for their end users.

#### **FCC Question #4**

**Question:** Does BSLD have an operational agreement with any LEC besides BST? Does BSLD treat independent ILECs as it does CLECs, does it have any operational agreements with the former?

**BellSouth Response:** BSLD has not yet reached agreement with any CLECs. To date, BSLD has received expressions of interest from nine CLECs. BSLD has requested relevant information about their operations from CLECs to facilitate negotiations. BSLD provides no service to end users of any independent ILEC nor does it have any current arrangements with any independent ILEC.

#### **FCC Question #5**

**Question:** WorldCom alleges that BST is requiring an amendment to the CLEC's interconnection agreement before the CLEC can order USOCs that would cure the intraLATA routing problem in GA. Is this true? If true, what precisely needs to be in the amendments? If there is an amendment required, is it also true that BST didn't announce this until July, as WorldCom alleges? If so, why didn't the announcement occur earlier?

**BellSouth Response:** Yes. USOCs are required in the contract in order for services they support to be ordered. The process used by BellSouth to load rates into the billing system requires a simple amendment to be made to the interconnection agreement to reflect the new USOCs with the appropriate rates. The process normally takes less than one day to complete, and is no different than, for example, the one used if a CLEC wanted to adopt

certain UNEs from another CLEC's contract using the pick and choose method. BellSouth has required USOCs to be included in the interconnection agreement for approximately 2 years. Ordering edits have been in place in BellSouth's systems that reject UNE orders if the supporting USOCs are not in the agreements.

The amendment referenced above is necessary to add the appropriate USOCs to the Rate Attachment of the BellSouth/WorldCom Agreement.

The July 25, 2002 Carrier Notification Letter, SN 91083247, advised that new USOCs needed to be included in the contract, thus requiring an amendment before the specific items can be ordered.

The announcement was not made earlier as BellSouth had not determined a firm date for implementation of the new USOCs. When BellSouth determined the date to be August 25, 2002, in accordance with BellSouth's responsibility to notify CLECs 30 days in advance of a new offering, CLECs were notified of the requirement for the new USOCs.

#### **FCC Question #6**

**Question:** The Stacy Reply affidavit states that BST has implemented single C in all states now. WorldCom states that BST did not provide notification that the Single C change was implemented. Is BST required to provide this type of notification according to the CCP? If so, was it provided?

**BellSouth Response:** The current CCP policy does not require BellSouth to notify CLECs that a release has been implemented after the fact. If there is a problem during the implementation of a release, BellSouth, of course, does inform CLECs. If a CLEC such as MCI/WorldCom wants to change the CCP to require BellSouth to notify them of successful releases, it should submit a change request.

On June 19, 2002, in carrier notification letter SN91083167, BellSouth informed the CLECs that Single C would be implemented in Alabama and South Carolina on July 21, 2002, and in Kentucky, North Carolina, and Tennessee on August 3, 2002. The CLECs had known since the release of 10.4 on March 23-24, 2002, when BellSouth implemented Single C in Georgia, Florida, and Mississippi that BellSouth was planning to implement Single C in the other states

#### **FCC Question #7**

**Question:** On Birch's Directory Listing issue, please clarify dates that different parts of BellSouth knew there was a problem. Please clarify when BellSouth Network knew there was a problem and when they brought it to BAPCO's attention. Please explain why CCP did not learn of the problem until June. Was the problem unique to Birch or was Birch

the only CLEC to complain although the problem affected other CLECs? If other CLECs were affected, were they notified of the fix? If so, when were they notified?

**BellSouth Response:** - BAPCO was contacted concerning this problem by BellSouth Network on May 2, 2002 after BellSouth became involved in formal discussions with Birch on May 1, 2002 as stated in Keith Milner's reply on page 6. The problem of tagging the correct telephone number in partial migration situations was not specific to Birch. Birch is the only CLEC to complain to BAPCO as of this date. BAPCO did notify BST and Birch that the BAPCO IT system fix for this problem was completed on June 28, 2002. BAPCO followed-up on subsequent Birch partial migration orders to insure they were processing correctly and has continued to advise Birch accordingly.

The key fact in this scenario is that BAPCO is a separate affiliate that is not subject to the BST CCP process. Consequently, there is no obligation for the CCP to be notified, or to provide notice, of system changes in BAPCO systems. In addition, BAPCO provided Birch, with whom it has the customer relationship, with notice of the system fix.

#### **FCC Question #8**

**Question:** The Stacy Reply affidavit states that the CCP change request escalation process now had 4 levels and that although the CLECs had now approved this alteration in the CCP dispute resolution process, the change had been made prior to the vote. Why did BST take this action unilaterally prior to the vote?

**BellSouth Response:** In an effort to be responsive to CLEC concerns, BellSouth voluntarily offered an additional level of escalation to ensure CLECs another high level avenue for resolution of CCP issues. At the time BellSouth made this voluntarily offer this escalation step was purely optional for the CLECs. To date, no CLEC has taken advantage of this offer.

#### **FCC Question #9**

**Question:** Where in the CCP document do the rules defining what constitutes timely release of change management documentation appear? To which categories of releases do these rules apply?, *i.e.*, just major releases, major, minor and industrial releases?, maintenance releases too? Please define what constitutes a major release, a minor release, a maintenance release?

**BellSouth Response:** The rules defining the distribution of documentation for releases are on pages 41-42 (this starts at the very bottom of page 41) of Version 3.2 pf the CCP, Issued 7-29-02, which is Exhibit WNS-3 to the affidavit of August 5, 2002. The same rules were in the earlier version of the CCP document, which was filed as Exhibit WNS-13 to the affidavit of June 20, 2002.

Here is a summary of the rules that shows the categories of releases that they apply to:

	Production Release	Industry Release
Draft User Req	36 weeks	42 weeks
Final User Req	34 weeks	40 weeks
Final EDI & TAG specs	10 weeks	10 weeks
Business Rules	8 weeks	8 weeks
Documentation changes	30 days in advance of effective date	

The terms “major” and “minor” release are no longer used, having been replaced by the term “production release” in April revisions to the CCP document (although there still is a reference that was accidentally left in the CCP document and was referenced in Stacy’s Reply Affidavit). “Major or minor” may also still be used in some CCP documents for releases that have taken place in the year 2002.

Following are the definitions from the terms and definitions section of the current CCP document (Section 11.0).

**RELEASE – INDUSTRY**

The implementation of new industry standard(s) which may impact and require CLECs to make changes to their interface. An industry release may prohibit the use of an interface upon implementation of the Change(s).

**RELEASE – MAINTENANCE**

The implementation of scheduled maintenance of a BellSouth system that does not require CLECs to make changes to their interface or prohibit the use of an interface upon implementation. System downtime may be required.

**RELEASE - PRODUCTION**

The implementation of scheduled Change(s) which may impact and require the entire CLEC community to make changes to their interface. A production release may prohibit the use of an interface upon implementation of the Change(s).

In addition, following are the old definitions for major and minor release. Again, these are no longer in the CCP document.

**Release – Major.** The implementation of scheduled Change(s) which may impact and require the entire CLEC community to make changes to

their interface. A major release may prohibit the use of an interface upon implementation of the Change(s).

**Release – Minor.** The implementation of scheduled Change(s) that may not require CLECs to make changes to their interface or do not prohibit the use of an interface upon implementation.

### **FCC Question #10**

**Question:** Which releases are covered by the performance metrics on change management (i.e., F.10.1-10.4)?

**BellSouth Response:** It should be noted that measures F.10.1- F.10.2 relate to software releases whereas measures F.10.3-F.10.4 relate to release of documentation related to releases. All releases that are not specifically excluded in the SQM are included in these measures. See attached extraction from the SQM for the exclusions that may apply.

### **FCC Question #11**

**Question:** Of the performance months upon which BellSouth's application relies, only April has any significant volume for F.10.4. The volume that month was 9, and BellSouth missed 2. What were the misses that occurred for that month?

**BellSouth Response:** Sub-metric F.10.4 measures the timeliness of any changes or clarifications to documentation for the BellSouth Business Rules for Local Ordering (BBR-LO) that was not associated with a currently scheduled software release. This sub-metric tracks the amount of time that BellSouth notifies the CLECs prior to posting the updated documentation for these changes. The benchmark for this sub-metric is 5 or more days prior to the scheduled documentation posting date.

There were a total of 9 updates to the BBR-LO documentation included with the April 5, 2002, posting. BellSouth met the 5 day benchmark for 7 of those 9 updates. One of the missed notifications, posted on April 1<sup>st</sup> (4 days in advance), addressed the ordering of jacks as a component of the network interface device for T-1 loops. During the Change Control Process call on February 27, 2002, two CLECs raised a question about this issue. BellSouth worked with the CLECs on resolving the issue and with the March 8<sup>th</sup> call, a third CLEC raised a related question about the same subject. Working with all 3 CLECs, it took until the end of March to resolve the issues and determine the proper update for the BBR-LO guide. A carrier notification letter was posted to the Internet on April 1, which was one day after the 5 day benchmark. As can be seen, the CLECs most directly concerned about this issue were significantly involved in its solution; however, all CLECs were not notified until 4 days prior to the posting of the updated documentation.

The second missed notification was for ordering guidelines for Hunting Arrangements. The BBR-LO was updated but the notification was not sent until



April 2, 3 days prior to release. Like the situation described above, the CLECs most interested in this change were involved in the implementation of it and so were aware of the change.

## **CM-1: Timeliness of Change Management Notices**

### **Definition**

Measures whether CLECs receive required software release notices on time to prepare for BellSouth interface/system changes so CLEC interfaces are not impaired by change.

### **Exclusions**

- Changes to release dates for reasons outside BellSouth control, such as the system software vendor changes. For example: a patch to fix a software problem.
- Type 6 Change Requests (Defects/Expedites), as defined by the Change Control Process (CCP)

## **CM-2: Change Management Notice Average Delay Days**

### **Definition**

Measures the average delay days for change management system release notices sent outside the time frame set forth in the Change Control Process.

### **Exclusions**

- Changes to release dates for reasons outside BellSouth control, such as the system software vendor changes. For example: a patch to fix a software problem.
- Type 6 Change Requests (Defects/Expedites), as defined by the Change Control Process

## **CM-3: Timeliness of Documents Associated with Change**

### **Definition**

Measures whether CLECs received requirements or business rule documentation on time to prepare for BellSouth interface/system changes so CLEC interfaces are not impaired by change.

### **Exclusions**

- Documentation for release dates that slip less than 30 days for reasons outside BellSouth control, such as changes due to Regulatory mandate or CLEC request.
- Type 6 Change Requests (Defects/Expedites), as defined by the Change Control Process.

## **CM-4: Change Management Documentation Average Delay Days**

### **Definition**

Measures the average delay days for requirements or business rule documentation sent outside the time frames set forth in the Change Control Process.

### **Exclusions**

- Documentation for release dates that slip less than 30 days for reasons outside BellSouth control, such as changes due to Regulatory mandate or CLEC request.
- Type 6 Change Requests (Defects/Expedites), as defined by the Change Control Process.